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Attorneys for the United States

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

DONNISHA HARRELL,

Defendant.

No. CR 08-0574 MHP

**STIPULATION and ~~proposed~~  
ORDER EXCLUDING TIME  
UNDER THE SPEEDY TRIAL ACT  
FROM FEBRUARY 26, 2009, UNTIL  
END OF PRE-TRIAL DIVERSION  
PROGRAM**

1. The government and defendant Donnisha Harrell have entered into an “Agreement for Pre-Trial Diversion.” Under the terms of that Agreement, the government has agreed to defer prosecution of the criminal charges against Donnisha Harrell in this case for a period of 12 months, provided that the defendant abides by certain conditions and requirements, including that she not violate any laws and that she perform 50 hours of community service.

2. As part of the Agreement, the defendant agrees to an exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161(h)(2) during the entire time period that prosecution is deferred.

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Any period of delay during which prosecution is deferred by the attorney for the Government pursuant to written agreement with the defendant, with the approval of the court, for the purpose of allowing the defendant to demonstrate his good conduct.

4. Accordingly, the government and defendant Donnisha Harrell jointly move for an exclusion of time under the Speedy Trial Act from February 26, 2009, until the end of defendant Harrell's diversion program.

Respectfully submitted,

Dated: March 10, 2009

JOSEPH P. RUSSONIELLO  
United States Attorney

/s/ Nat Cousins  
Assistant United States Attorney

**AGREED** as of March 10, 2009, by,

/s/ Miranda Kane  
COUNSEL FOR DONNISHA HARRELL

\* \* \*

## ORDER

For good cause shown upon the stipulated motion of the parties, the Court approves the deferred prosecution of defendant Donnisha Harrell and orders time excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(2), from February 26, 2009, until the end of defendant Harrell's diversion program.

Date: 3/10/2009

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